

1 AMENDMENT TO SENATE BILL 71

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 71, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Wildlife Code is amended by changing  
6 Section 2.2 and adding Section 2.33b as follows:

7 (520 ILCS 5/2.2) (from Ch. 61, par. 2.2)

8 Sec. 2.2. Definitions; prohibited acts. Except as  
9 provided in Section 2.33b, this Act shall apply only to the  
10 wild birds and parts of wild birds (their nests and eggs),  
11 and wild mammals and parts of wild mammals, which shall  
12 include their green hides, in the State of Illinois, or which  
13 may be brought into the State, that are hereby defined as  
14 follows:

15 All birds, both game and non-game (except the House  
16 Sparrow, *Passer domesticus*; European Starling, *Sturnus*  
17 *vulgaris*; and Rock Dove or Domestic Pigeon, *Columba livia*).  
18 GAME BIRDS - Ruffed grouse, *Bonasa umbellus*; Sharp-tailed  
19 grouse, *Pediocetes phasianellus*; Bobwhite quail, *Colinus*  
20 *virginianus*; Hungarian Partridge, *Perdix perdix*; Chukar  
21 Partridge, *Alectoris graeca*; Ring-necked Pheasant, *Phasianus*  
22 *colchicus*; Greater Prairie Chicken, *Tympanuchus cupido*; Wild

1 Turkey, *Meleagris gallopavo*. MIGRATORY GAME BIRDS -  
2 Waterfowl including brant, wild ducks, geese and swans,  
3 Anatidae; rails, gallinules and coots, Rallidae; snipe,  
4 *Gallinago gallinago*; woodcock, *Scolopax minor*; pigeons,  
5 including doves and wild pigeons (except domestic pigeons),  
6 Columbidae; and crows, Corvidae. RESIDENT AND MIGRATORY  
7 NON-GAME BIRDS - Loons, Gaviidae; grebes, Podicipedidae;  
8 pelicans, Pelecanidae; cormorants, Phalacrocoracidae; herons,  
9 bitterns and egrets, Ardeidae; ibises and spoonbills,  
10 Threskiornithidae; storks, Ciconiidae; vultures,  
11 Carthartidae; kites, hawks and eagles, Accipitridae; ospreys,  
12 Pandionidae; falcons, including the Peregrine Falcon,  
13 Falconidae; cranes, Gruidae; rails and gallinules, Rallidae;  
14 all shorebirds of the families Charadriidae, Scolopacidae,  
15 Recurvirostridae and Phalaropodidae; jaegers, Stercorariidae;  
16 gulls and terns, Laridae; cuckoos, Cuculidae; owls, Tytonidae  
17 and Strigidae; whip-poor-wills and nighthawks, Caprimulgidae;  
18 swifts, Apodidae; hummingbirds, Trochilidae, Kingfishers,  
19 Alcedinidae; woodpeckers, Picidae; kingbirds and flycatchers,  
20 Tyrannidae; larks, Alaudidae; swallows and martins,  
21 Hirundinidae; crows, magpies and jays, Corvidae; chickadees  
22 and titmice, Paridae; nuthatches, Sittidae; creepers,  
23 Certhiidae; wrens, Troglodytidae; mockingbirds, catbirds and  
24 thrashers, Mimidae; robins, bluebirds and thrushes, Turdidae;  
25 gnatcatchers and kinglets, Sylviidae; pipits, Motacillidae;  
26 waxwings, Bombycillidae; shrikes, Laniidae; vireos,  
27 Vireonidae; warblers, Parulidae; European Tree Sparrow,  
28 *Passer montanus*; blackbirds, meadowlarks and orioles,  
29 Icteridae; tanagers, thraupidae; cardinals, grosbeaks,  
30 finches, towhees, dickcissels, sparrows, juncos, buntings and  
31 longspurs, Fringillidae. GAME MAMMALS - Woodchuck, *Marmota*  
32 *monax*; Gray squirrel, *Sciurus carolinensis*; Fox squirrel,  
33 *Sciurus niger*; White-tailed jackrabbit, *Lepus townsendii*;  
34 Eastern cottontail, *Sylvilagus floridanus*; Swamp rabbit,

1 Sylvilagus aquaticus; White-tailed deer, Odocoileus  
2 virginianus. FUR-BEARING MAMMALS - Muskrat, Ondatra  
3 zibethicus; Beaver, Castor canadensis; Raccoon, Procyon  
4 lotor; Opossum, Didelphis marsupialis; Least weasel, Mustela  
5 rixosa; Long-tailed weasel, Mustela frenata; Mink, Mustela  
6 vison; River otter, Lutra canadensis; Striped skunk, Mephitis  
7 mephitis; Badger, Taxidea taxus; Red fox, Vulpes vulpes; Gray  
8 fox, Urocyon cinerascens; Coyote, Canis latrans; Bobcat,  
9 Lynx rufus. OTHER MAMMALS - Flying squirrel, Glaucomys  
10 volans; Red squirrel, Tamiasciurus hudsonicus; Eastern  
11 Woodrat, Neotoma floridana; Golden Mouse, Ochrotomys  
12 nuttalli; Rice Rat, Oryzomys palustris; Bats,  
13 Vespertilionidae.

14 It shall be unlawful for any person at any time to take,  
15 possess, sell, or offer for sale, any of these wild birds  
16 (dead or alive) and parts of wild birds (including their  
17 nests and eggs), wild mammals (dead or alive) and parts of  
18 wild mammals, including their green hides contrary to the  
19 provisions of this Act. However, nothing in this Act shall  
20 prohibit bona-fide public or state scientific, educational or  
21 zoological institutions from receiving, holding and  
22 displaying wildlife specimens that were salvaged or legally  
23 obtained.

24 It shall be unlawful for any person to bring into the  
25 State of Illinois for the purpose of holding, releasing,  
26 propagating or selling any other living wild animal not  
27 covered by this Act without first obtaining a permit from the  
28 Director. The permit shall be granted only upon satisfactory  
29 proof that the specific animals intended to be imported are  
30 free of communicable disease at the time of importation, will  
31 not become a nuisance, and will not cause damage to any  
32 existing wild or domestic species. Application for this  
33 permit shall be filed with the Director not less than 30 days  
34 in advance of the proposed date of importation. The Director

1 may incorporate in the permit any restrictions as he may deem  
 2 appropriate. These provisions shall not apply to any animal  
 3 imported into this State for the purpose of being confined  
 4 and exhibited in any zoo or other public display of animals  
 5 nor to any other animals or groups of animals that the  
 6 Department of Natural Resources may exempt by administrative  
 7 rule.

8 It shall be unlawful for any person to take any other  
 9 living wild animal not covered by this Act without the  
 10 permission of the landowner or tenant.

11 (Source: P.A. 89-445, eff. 2-7-96.)

12 (520 ILCS 5/2.33b new)

13 Sec. 2.33b. Unlawful controlled killing of exotic  
 14 mammals.

15 (a) As used in this Section:

16 "Captivity" means the state of being held under control,  
 17 tied, caged, penned, or otherwise restrained from engaging in  
 18 normal movement.

19 "Exotic mammal" means any of the following:

20 (1) lion, tiger, ocelot, cougar, leopard, cheetah,  
 21 or jaguar;

22 (2) axis deer, baringha, fallow deer, red deer, or  
 23 sika deer;

24 (3) angora goat, catalina goat, pygmy goat, ibex,  
 25 or tahr;

26 (4) barbados sheep, corsican sheep, aoudad,  
 27 mouflon, or four-horn sheep;

28 (5) addax, sable antelope, blackbuck, blesbok,  
 29 eland, grant's gazelle, dama gazelle, thompson's gazelle,  
 30 gemsbok, gnu, impala, kudu, nilgai, scimitar-horned oryx,  
 31 beisa oryx, sitatunga, springbuck, or waterbuck; or

32 (6) hyena, bear, lesser panda, binturong, wolf,  
 33 ape, elephant, rhinoceros, or grant's zebra.

1       (b) No person may knowingly engage in, sponsor,  
2 instigate, assist, or profit from the killing or wounding (or  
3 attempted killing or wounding) of an exotic mammal for the  
4 purpose of sport, amusement, attainment or production of a  
5 trophy, or collection of a prize, if the exotic mammal is:

6           (1) tied, staked, caged, penned, or otherwise  
7 restrained from engaging in normal movement; or

8           (2) released from confinement or captivity for the  
9 purpose of being killed or wounded.

10       (c) No person may knowingly purchase or sell any exotic  
11 mammal, or any part of an exotic mammal, killed or wounded in  
12 violation of subsection (b).

13       (d) A person who violates subsection (b) or (c) is  
14 guilty of a business offense and subject to a fine of not  
15 less than \$500 and not more than the greater of \$5,000 or  
16 twice the amount of the financial gain realized by the person  
17 from the commission of the violation.

18       (e) This Section does not apply to trapping activities  
19 as otherwise permitted by Illinois law.

20       (f) This Section does not restrict the authority of  
21 units of local government to regulate the possession of  
22 exotic mammals in a manner consistent with this Section.

23       (g) This Section does not apply to a peace officer or  
24 other employee of a unit of local government or the State,  
25 nor to a person acting at the direction of such an officer or  
26 employee, who, while acting in an official capacity or at the  
27 direction of such an officer or employee acting in an  
28 official capacity, injures or kills an exotic mammal that the  
29 officer or employee reasonably believes to present, under the  
30 existing circumstances, the possibility of danger to the  
31 public. A person described in this subsection is immune from  
32 criminal or civil liability for causing injury or death to  
33 the exotic mammal.

34       (h) This Section does not apply to a licensed

1 veterinarian or an employee of a sanctuary exempt from  
2 federal taxation under Section 501(c)(3) of the Internal  
3 Revenue Code of 1986 or of a facility accredited by the  
4 Association of Zoos and Aquariums who, while in the course of  
5 such employment, humanely euthanizes an exotic mammal to  
6 terminate the suffering of that exotic mammal due to illness  
7 or injury. A person described in this subsection is immune  
8 from criminal or civil liability for causing injury or death  
9 to the exotic mammal."